



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Konrad Herrmann et al.

Serial No: Art Unit:

Filing Date:

Title: POLYCYCLIC PYRIMIDINE -2,4(1H,3H)-DIONES WITH
FUNCTIONALIZED ALKYL RESIDUES AT THE 1- AND/OR
3-POSITION(S); METHODS FOR THEIR SYNTHESIS AND
PHARMACEUTICAL PREPARATION

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
Erklärung Für Patentanmeldungen Mit Vollmacht
German Language Declaration Nng201

Als nachstehend benannter Erfinder erkläre ich hiermit an
Eidesstatt:

As a below named inventor, I hereby declare that:

daß mein Wohnsitz, meine Postanschrift und meine Staats-
angehörigkeit den im Nachstehenden nach meinem Namen aufgeführten
Angaben entsprechen,

My residence, post office address and citizenship are as stated
below next to my name,

daß ich, nach bestem Wissen der ursprüngliche, erste und
alleinige Erfinder (falls nachstehend nur ein Name angegeben ist)
oder ein ursprünglicher, erster und Miterfinder (falls
nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin,
für den dieser Antrag gestellt wird und für den ein Patent
beantragt wird für die Erfindung mit dem Titel:

Mehrcyclische Pyrimidin-2,4(1H,3H)-dione mit funktionalisierten
Alkylresten in 1- und/oder 3-Position, Verfahren zu ihrer
Herstellung und pharmazeutische Zubereitungen

I believe I am the original, first and sole inventor (if only one
name is listed below) or an original, first and joint inventor
(if plural names are listed below) of the subject matter which is
claimed and for which a patent is sought on the invention
entitled:

**POLYCYCLIC PYRIMIDINE -2,4(1H,3H)-DIONES WITH
FUNCTIONALIZED ALKYL RESIDUES AT THE 1- AND/OR
3-POSITION(S); METHODS FOR THEIR SYNTHESIS AND
PHARMACEUTICAL PREPARATION**

deren Beschreibung (nur eines der nachfolgenden Kästchen ankreuzen)

the specification of which (check only one item below)

< > hier beigefügt ist.
is attached hereto.

< > am _____ als U.S.-Anmeldung, Seriennummer _____
gereicht wurde und am _____ abgeändert wurde (falls
tatsächlich abgeändert).

was filed as US Application Serial No. _____
on _____ and was amended on _____ (if applicable).

<X> am 21. August 2000 als internationale PCT-Anmeldung, Nummer
PCT/EP00/08126 eingereicht wurde und am _____ unter PCT-
Artikel 34/36 abgeändert wurde (falls tatsächlich abgeändert).

was filed as PCT international application, Number PCT/EP00/08126
on 21 August 2000 and was amended under PCT Article 34/36
on _____ (if applicable)

Ich bestätige hiermit, daß ich den Inhalt der obigen
Patentanmeldung einschließlich der Ansprüche durchgesehen und
verstanden habe, die eventuell durch einen Zusatzantrag wie oben
erwähnt abgeändert wurde.

I hereby state that I have reviewed and understand the contents
of the above-identified specification, including the claims, as
amended by any amendment referred to above.

Ich erkenne meine Pflicht zur Offenbarung jeglicher Informationen
an, die zur Prüfung der Patentfähigkeit in Einklang mit Titel 37,
Bundesgesetzbuch (Code of Federal Regulation), § 1.56 von Belang
sind.

I acknowledge the duty to disclose information which is material
to patentability as defined in Title 37, Code of Federal
Regulations, § 1.56.

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäß
Abschnitt 35 der Zivilprozeßordnung der Vereinigten Staaten,
Paragraph 119 jeglicher unten angegebenen Auslandsanmeldung(en)
für ein Patent oder Erfindersurkunde oder jeglicher

internationalen PCT-Anmeldung(en), welche mindestens ein Land ausser den Vereinigten Staaten benennt, und habe auch jegliche Auslandsanmeldung(en) für ein Patent oder Erfindersurkunde oder jegliche internationale PCT-Anmeldung(en), welche mindestens ein Land ausser den Vereinigten Staaten benennt, nachstehend gekennzeichnet, welche von mir für den gleichen Gegenstand eingereicht wurde und ein Anmeldedatum haben, das vor dem Anmeldedatum der Anmeldung liegt, für die Priorität beansprucht wird.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN /PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER
35 USC 119:**

**FRÜHERE AUSLÄNDISCHE/PCT ANMELDUNG(EN) UND JEGLICHE PRIORITY UNTER
35 USC 119:**

Country (if PCT, indicate PCT)	Application No. (Anmeldungsnummer)	Date of Filing (day, month, year) (Anmelddatum (Tag, Monat, Jahr))	Priority Claimed under 35 USC 119 Priorität unter 35 USC 119 beansprucht
Germany	199 40 494.1	26 August 1999	<X>Yes < >No Ja Nein

Ich beanspruche hiermit gemäß Absatz 35 der Zivilprozeßordnung der Vereinigten Staaten, Paragraph 120, den Vorzug jeglicher unten aufgeführten U.S.-Anmeldung(en) oder die USA benennende internationale(n) PCT-Anmeldung(en) und falls der Gegenstand aus jedem Anspruch dieser Anmeldung nicht in dieser/diesen früheren Patentanmeldung(en) laut dem ersten Paragraphen des Absatzes 35 der Zivilprozeßordnung der Vereinigten Staaten, Paragraph 112 offenbart ist, erkenne ich gemäß Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a) meine Pflicht zur Offenbarung von Informationen an, die zwischen dem Anmelddatum der früheren Anmeldung(en) und dem nationalen oder internationalen PCT Anmelddatum dieser Anmeldung bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:

FRÜHERE AMERIKANISCHE ANMELDUNGEN ODER DIE USA BENENNENDE INTERNATIONALE PCT-ANMELDUNGEN FÜR VORRECHT UNTER 35 USC 120

U.S. APPLICATIONS	STATUS (Check one)
U.S. Application No. U.S Filing Date AMERIKANISCHE ANMELDUNGEN	Patented Pending Abandoned
Seriennummer Anmeldedatum	STAND (ein Kästchen ankreuzen) Patentiert Anhängig Aufgegeben

< > < > < >

PCT APPLICATIONS DESIGNATING THE U.S.

PCT Application Number	PCT Filing Date	U.S.Ser.Nos. assigned (if any)
DIE USA BENENNENDE PCT-ANMELDUNGEN	PCT-Anmelde- nummer	Zugeteilte Serien- nummern (falls zutreffend)

< > < > < >

VERTRETUNGSVOLLMACHT: Als benannter Erfinder beauftrage ich hiermit den nachstehend benannten Patentanwalt (oder die nachstehend benannten Patentanwälte) und/oder Patent-Agenten mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Geschäfte vor dem Patent- und Warenzeichenamt: (Name und Registrationsnummer anführen)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Horst M. Kasper (Reg. No. 28,559)
Richard T. Laughlin (Reg. No. 17,264)

Telefongespräche bitte richten an: (Name und Telefonnummer)
Direct Telephone Calls to: (Name and telephone number)

Horst M. Kasper (908) 757-2839

Postanschrift:

Send Correspondence to:

13 Forest Drive, Warren, N.J. 07059

Ich erkläre hiermit, daß alle von mir in der vorliegenden Erklärung gemachten Angaben nach meinem besten Wissen und Gewissen der vollen Wahrheit entsprechen, und daß ich diese eidesstattliche Erklärung in Kenntnis dessen abgebe, daß wissentlich und vorsätzlich falsche Angaben gemäß Paragraph 1001, Absatz 18 der Zivilprozeßordnung der Vereinigten Staaten von Amerika mit Geldstrafe belegt und/oder Gefängnis bestraft werden können, und daß derartig wissentlich und vorsätzlich falsche Angaben die Gültigkeit der vorliegenden Patentanmeldung oder eines darauf erteilten Patentes gefährden können.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Voller Name des einzigen oder ursprünglichen Erfinders:
Full name of sole or first inventor:

Konrad Herrmann

Unterschrift des Erfinders
Inventor's signature

Datum

Date

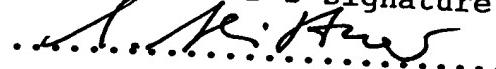
14. 05. 01

Wohnsitz
Residence
D-04229 Leipzig
Germany

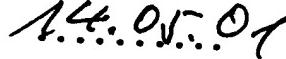
Staatsangehörigkeit
Citizenship
Germany

Postanschrift
Post Office Address
Stieglitzstrasse 78
D-04229 Leipzig
Germany

Voller Name des zweiten Erfinders:
Full name of second inventor:
Siegfried Leistner

Unterschrift des Erfinders
Inventor's signature


Wohnsitz
Residence
D-04346 Leipzig
Germany

Datum
Date


Staatsangehörigkeit
Citizenship
Germany

Postanschrift
Post Office Address
Klingenthaler Strasse 1
D-04346 Leipzig
Germany

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URNr. 773 / 2001 M

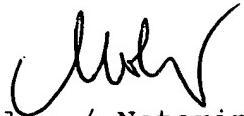
Ich beglaubige hiermit die Echtheit der vorstehenden vor mir, der Notarin, vollzogenen Unterschriften von

Herrn Dr. Konrad Herrmann,
geboren am 01.02.1950,
wohnhaft in 04229 Leipzig, Stieglitzstraße 78,
ausgewiesen durch amtlichen Lichtbildausweis,

und

Herrn Dr. Siegfried Leistner,
geboren am 08.06.1940,
wohnhaft in 04349 Leipzig, Klingenthaler Str. 1,
ausgewiesen durch amtlichen Lichtbildausweis.

Leipzig, den 14.05.2001


Möller / Notarin

JG10 Rec'd/PCT/PTO 12 JUN 2001

DOCKET NO. NNG201



JUN 12 2001

16

SERIAL NO.: 09/830,518
The date stamp of the Patent Office hereon is considered as the date on which papers indicated below were received

- Form PTO-1390
- Response to the Notice of Missing Requirements dated June 7, 2001 (2 Pages)
- Inventor Declaration
- Late fee in the amount of \$65.00
- Form PTO-2038
- Copy of Notice to File Missing Requirements Under 35 U.S.C. 371
- Transmittal Letter

(Patent Office. Please stamp and return to the addressee on reverse side.)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

NNG201

APPLICATION NO. (If known, see 37 CFR 1.5)

09/830,518

INTERNATIONAL APPLICATION NO.
PCT/EP00/08126INTERNATIONAL FILING DATE
21 AUGUST 2000PRIORITY DATE CLAIMED
26 AUGUST 1999TITLE OF INVENTION POLYCYCLIC PYRAMIDINE - 2,4 (1H, 3H) - DIOXES WITH FUNCTIONALIZED ALKYL RESIDUES
AT THE 1- AND/OR 3-POSITION(S); METHODS FOR THEIR SYNTHESIS AND PHARMACEUTICAL PREPARATION

APPLICANT(S) FOR DO/EO/US

KONRAD HERRMANN, SIEGFRIED LEISTNER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A FIRST preliminary amendment.
14. A SECOND or SUBSEQUENT preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:
 - FORM 2038
 - RESPONSE TO THE NOTICE OF MISSING REQUIREMENTS
 - COPY OF THE NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 USC 371

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 09/836,518	INTERNATIONAL APPLICATION NO. PCT/EP00/08126	ATTORNEY'S DOCKET NUMBER JNGZ01
CALCULATIONS PTO USE ONLY		
21. <input checked="" type="checkbox"/> The following fees are submitted:		
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00		
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00		
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00		
ENTER APPROPRIATE BASIC FEE AMOUNT = \$		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ 130.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	- 20 =	x \$18.00
Independent claims	- 3 =	x \$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$270.00
TOTAL OF ABOVE CALCULATIONS = \$		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. + \$ 65.00		
SUBTOTAL = \$ 65.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$		
TOTAL NATIONAL FEE = \$ 65.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$		
TOTAL FEES ENCLOSED = \$ 65.00		
Amount to be refunded: \$		
charged: \$		
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0224</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>		
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p>		
Horst M. Kasper 13 Forest Drive Warren, N.J. 07059		SIGNATURE  HORST M. KASPER NAME 28,559 REGISTRATION NUMBER